Docket No.: 58799(71699)

AMENDMENTS TO THE CLAIMS

- 1-15. (Canceled)
- 16. (Currently Amended) A method of killing a cell that is sensitive to DT-A or PEA, comprising infecting the cell with an adenovirus produced by a packaging cell line, wherein the cell line is capable of producing adenovirus that expresses the A subunit of diphtheria toxin (DT-A) or Pseudomonas Exotoxin A (PEA), wherein the cell line does not produce replication-competent adenovirus when used in conjunction with non-overlapping E1-deleted adenovirus, wherein the cell line is resistant to DTA and PEA and wherein the cell line has a mutated <u>human</u> EF-2 gene that encodes an EF-2 protein that is mutated at codon 705.
 - 17. (Original) The method of claim 16, wherein the cell is a cancer cell.
 - 18. (Canceled)
- 19. (Currently Amended) A method of selectively killing a cell in a subject, comprising administering a therapeutically effective amount of an adenovirus to the subject wherein the adenovirus is produced by a packaging cell line, wherein the cell line is capable of producing adenovirus that expresses the A subunit of diphtheria toxin (DT-A) or Pseudomonas Exotoxin A (PEA), and wherein the cell line does not produce replication-competent adenovirus when used in conjunction with non-overlapping E1-deleted adenovirus, wherein the cell line has a mutated https://purple.com/html.net-2 protein that is mutated at codon 705, wherein the adenovirus comprises a tissue-specific promoter or enhancer that controls the expression of the DT-A or PEA wherein the tissue-specific promoter or enhancer is active only in the cell and not in other cells, thereby killing the cell but not other cells.
 - 20. (Original) The method of claim 19, wherein the cell is a cancer cell.
 - 21. (Canceled)
- 22. (Currently Amended) A method of treating a subject suffering from cancer comprising administering a therapeutically effective amount of the adenovirus to the subject, wherein the adenovirus is produced by a packaging cell line, wherein the cell line is capable of producing adenovirus that expresses the A subunit of diphtheria toxin (DT-A) or Pseudomonas Exotoxin A (PEA), and wherein the cell line does not produce replication-

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competent adenovirus when used in conjunction with non-overlapping E1-deleted adenovirus, wherein the cell line has a mutated <u>human EF-2 gene that encodes an EF-2 protein that is mutated at codon 705</u>, and wherein the cell line is resistant to DTA and PEA thereby treating said cancer.

- 23.-32. (Canceled)
- 33. (Cancelled)
- 34. (Currently Amended) The method of elaim 33 any one of claims 16, 19, or 22, wherein the glycine residue at codon 705 of the EF-2 protein is mutated to arginine.
- 35. (Currently Amended) The method of claim 16, wherein the <u>packaging cell</u> lineseells are resistant to about 10⁻⁹ M diphtheria toxin.
- 36. (Currently Amended) The method of claim 16, wherein the <u>packaging cell lineseells</u> contain the adenovirus E1 region.
- 37. (Currently Amended) The method of claim 16, wherein the <u>packaging cell lineseells</u> contain the adenovirus serotype 5 (Ad5) E1-A and E1-B encoding sequences.
- 38. (Currently Amended) The method of claim 16, wherein the <u>packaging cell</u> <u>lineseells</u> are derived from PER.C6 cells.